

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

August 11, 2011

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on August 4, 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending August 10, 2011 in the amount of \$ 263,218.11 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of August 4 – August 10, 2011
- Report from the Building Inspector's Office from January 10 – August 4, 2011

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Rabideau

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS:

5. **AUDIT OF CLAIMS:**

RESOLVED: That the bills Audited by the Common Council in the amount of \$ 400,644.51 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Calnon; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

6. **PERSONS ADDRESSING COUNCIL:**

Henry Kuhn 90 Pine Street said I researched my deed back to 1859. My deed shows that my land borders Saranac Rivers edge and goes up and around my property and ends at the Saranac Rivers edge at the other side of my boundaries on the Northern side. I just question why I wasn't notified when someone wanted to start chopping down my Maple trees and everything else in front of our houses. No one notified me and told me that anything was going to happen. I don't get the newspaper I'm not tied in to your little loop. I don't understand why you're doing what you're doing because it's really wrecking what we had as a great view. One of the best views in the city and I cleared it back in 2000 me and a bunch of other people and we made it look good. Obviously we made it look good enough so that everyone decided well this would be a good place to put a bike path. When I woke up last year and two truck loads of gravel going over the bank where I had my little walk way going down to the river and no one even asked me; hey we are going to dump gravel down here and put stairs and have everyone in the city empty in to your front yard and leave their beer cans and beer bottles down there. Now it's a hang out, there's 7 or 8 kids at a time coming down there doing drug deals down there. There's two gay guys coming down there having their little sexual encounter down there. I can see this from my upstairs window. I'm tired of looking at it. You've got a lot of strange people coming in to this area that don't belong down in this area. They never were here before why are they here now. I walked around and I spoke with everyone in my area that would answer their door and I was part of an effort to gain 41 signatures on a petition that you have not received yet. We're not too swift on what you all are doing down there with this one way street and I've got a boat in my driveway that if I did get it out I don't think I could get it back in, the way you have it fenced off. I won't be able to park between my girlfriend, her kids, my son, his girlfriend; we have 5 or 6 cars. My driveway will fit 2, I'm parking on my lawn right now and that's not even legal. So if I parked on my lawn at any other time you'd give me a ticket for it, I was told this. My son got a warning ticket for parking in a spot he's been parking in for 12 years. We've been parking there for 12 years, I put my truck there, my neighbors come, my pizza gets delivered. There's nowhere for anyone to park now for anything. What are we planning on doing about parking for everyone that lives down there; you've disrupted everyone's life. The other thing that I want to know is if you guys have looked at the finished plans and what we're going to be looking at out of our front window. Are we going to be seeing a fence between us and the river? Is it going to be a guard rail that I can't cross the road to go to the river anymore? Is that what you plan on putting up all the way down the road just like you did on Steltzer? Yes or no?

Mayor Kasprzak said I am going to mention this to you, Mr. Kuhn, as well as every other speaker

that's going to follow from your neighborhood. We give you the opportunity which you public deserve to speak to us but there's no debate from our end.

Henry Kuhn 90 Pine Street said you're not allowed to answer a question of mine?

Mayor Kasprzak said I could answer questions if we had a consistent rule to do so but that leads to debate here. Let me just say this for everybody who's going to follow and you this evening. The funding for this started before I became Mayor that's no excuse for what's gone on and how everyone's upset. But let me say this to you since I've been Mayor, whether you get the paper or not, the city has more then done their legal obligations for meetings, public hearings, open meetings about this. Whether you watch TV or whether you get the paper this has been well publicized and discussed obviously in everybody's neighborhood. I'm listening to you and as you noticed I am writing down notes on what you're saying.

Henry Kuhn 90 Pine Street said you need to keep writing.

Mayor Kasprzak said but I'm letting you know there's not going to be any dialogue back and forth with anybody here.

Henry Kuhn 90 Pine Street said I need to finish. When I was walking around getting the names of these people that were against this on the 41 people that are on this list, and we haven't gotten them all there's a lot more people than that are against this, but all these people live right where you are dealing with and we don't like it. We pay taxes we should have a say if nothing else you should be offering fair market value for our land. To tell me that SmithWeed's heirs are the ones that are going to receive \$38,000. How much is river front parking in any other city by the acre, I think it would go for a considerable amount more than \$38,000, any river front even if it was polluted. Anyway, while I was getting these signatures I spoke to Denise Nephew and she said that she wanted to notify us and she was stopped from notifying us by her office downstairs that we should have been notified as landowners. Now someone went and researched our deeds and put an "X" on everyone on Pine Street. All of our deeds have an "X" on them all the way back to 1859. Someone put an "X" on them. Mr. Nobody did it, ok, but one of the people involved in this must have researched our deeds.

Mayor Kasprzak said you're making some open accusations. You're looking at me like maybe I did these things or I was doing these things, I take exception to that.

Henry Kuhn 90 Pine Street said I want to make sure you are aware that's why I'm here. She was against not notifying us she wanted to notify us but she was stopped from notifying us. As landowners we are legally entitled to be notified when someone is going to take our land by eminent domain. I was not legally notified in any way not even a stamp on a letter. I wake up to gravel going on my bank. I just want to know if I'm going to be looking through a fence like a horse at the river from now on that's what I want to know. If that's the case you need to rethink it and if its going to stop me from parking in front of my house where I've been parking and everyone else has been parking in this town. And if you're going to do to us what you did to the people on Steltzer and they're all parking on their lawns, that's not right. That's not right to cram everyone just because 2% of the population wants to drive a bicycle. It's not the whole city and I haven't spoken to anyone that

is on the list that I have that is for this. How did it get through, whose idea was this, that's what I want to know. Do they live on the flats and is their live going to be affected like ours is. You've turned our lives upside down it looks terrible what you've done so far, it looks awful you're ruining it.

Clayton Provost 78 Pine Street said first off I want to talk to you about and I know that there's going to be no discussion so I'm just going to speak and then I'll be done. This whole project is not going to directly affect me of course I am a bike rider and I do like to use the trails and all that. But, my issue is representation. Representation down in my Ward 2 is not good right now. I haven't seen my representative and I voted for this person of course and this is the first Common Council meeting I have been to in 10 years. I pay taxes. I know for a fact that no one on my street wants this project. No one in my whole area wants this project to go on. Another issue is if this is ear marked for this certain project from the federal government. The federal government is not doing good right now why don't we send the money back. Why do we need this project to go on it doesn't make sense. Take all of these ear marks from the whole country and send them back that's what we need to do. Not continue with the frivolous spending that the whole country has done.

Andrew Golt Couch Street said my wife and I own a number of properties around the city. I've got something positive to say. Well, there is always a negative to something positive not to do with the bike path; I should be riding my bike more often though, of course, we can all say that. The situation with the trees that block the sidewalks that was brought up in the Press Republican a few days ago, that's a corner that I use 4,5,6,7,8,10 times a day. My wife and I own property on Hamilton Street and I run, looking at Geoffrey's English Pub which would be west and if I look left on Peru Street/Route 9 there is a hedge blocking that sidewalk. Everybody knows it that has to make that turn and I've spoken to the land owner a number of years ago. I talked real nice to him for a half an hour which was basically a waste of a half an hour time. I think the city just needs to go there and cut the shrubs because it blocks the line of sight and traffic flies north on Peru Street. Its an easy way to fix a problem by trimming those shrubs back and charging the landowner. His name was in the paper a picture of the corner of his property. He hasn't done a thing so I guess he doesn't really care send him a bill. The city is really busy with stuff. I have thought myself of going there and trimming it myself, but, you can't do that.

Mayor Kasprzak said you can't do that Andrew.

Andrew Golt Couch Street said I know that's why I haven't done it. My wife and I own trees on Couch Street and we've trimmed them back. I've got some ropes holding my branches up and they're still just barely above my head so I am familiar with the situation. There is something else I wanted to say now and I don't have any notes. Oh, the smoking. There was issues with smoking at the airport, smoking more than 40 feet, 100 feet. I can't wait until the city has a law, of course it won't be enforced, but their needs to be a law that there is no smoking on public properties whatsoever. Let the people smoke in the street, of course, toss their butts in the street. My wife and I enforce that rule at our apartment buildings. No smoking whatsoever on the property because it just leads to people smoking at the doors, at the entry ways and there's a member sitting here tonight, and I wont look at him or point the finger, but smokes right in front of City Hall and right by the door and tosses his butt on the ground and its unsightly. People use to smoke in grocery stores and airplanes, in airplanes.

There used to be a little thing that said no smoking behind your head. People will just have to get used to it because it is passé. Smoking is just unless you're the guy selling cigarettes or collecting taxes it's the stupidest thing going. I think the city needs to push forward and it's a minor issue. There's a lot bigger issues, there's flooding issues. I call on the number of cars parked across sidewalks and trash. There's bigger issues I understand that. Nevertheless the small things sometimes make the big things better. Thank you for your attention. If anybody wants to talk to me you know where to find me, working on my apartment buildings, to try and make my tenants lives better.

Sue Ford said I'm Sue Ford as everybody knows I'm sure. Yeah, I'm here to speak about Pine Street too. And aside from the eminent domain issue which is still in litigation. Even though the whole river bank has been chopped up and dug up and the road has been crumbled. I have, it's a multi faceted problem, it's not just the eminent domain issue. You're talking about safety, your talking about maintenance, representation. Mr. Tiffer, we haven't seen your face in the neighborhood since you've been elected, which is very disheartening and I wish sometime you would stop down and talk to some of the people. I wish you would have done that along time ago and maybe you would have found out a lot of different things from people who've lived down there for greater than 50 years about the way this has disrupted their lives. Do you's want down at Pine Street what has happened to Steltzer Way? I went and measured the narrowest part of Steltzer Way the other day, 11 feet 7 inches. I've talked to the fireman down there on the south side of the city and I've also talked to them on Cornelia Street. One of their trucks can get through pretty good. The middle size truck it depends on the weather whether or not it can get through, the fire truck. The large one can not get through. What about ambulances, delivery trucks, 911? How much thought has gone into this? Everybody you talk to states this is the biggest, biggest disaster that Plattsburgh's ever faced. The city workers say they daily quote "wing it" as far as taking care of Steltzer Way. They've had to take the green space that was supposed to be in the master plan and tarmac it because they could no longer take care of it, it was such a mess. The rail has been hit so many times it's been dented. I don't want that to happen to my street. What are you going to do with the 20 or more houses that are multi-family houses that have been grandfathered in with the parking situation in the winter, if we have a winter like we had last year, where is the snow going to go. As it is you have to have a special Common Council meeting so no trucks went down there on Steltzer Way. Is that going to happen to Pine Street also? There are so many issues with this and so many things gone wrong you really need to address it you really do. The eminent domain will be decided in court that's still in litigation that is separate from why I'm here today. I'm here today because I absolutely love the area it's a beautiful area and what is being done to it is disgusting. It's absolutely disgusting. Your 35 people committee which try to go to one of those meetings, I didn't know one of those people on that 35 person committee. I remember you at one time complaining about a building being sold and 35 people not deciding what happens to the City of Plattsburgh. What about those 35 people that decided what happened to our whole neighborhood and our whole life. My 50% of my property is gone 50% of my green space. You got a lot of answers, you've got a lot questions to ask and you've got a lot of fixing to do.

Mary Ellen Cleveland said I'm here because we have experienced a heavy load of truck traffic this summer. I mean we've always had truck traffic it's gotten progressively heavier. I'm not here to try and stop progress or anything I know that jobs have to be done. But my concern is we have a lot of children, pedestrians in the neighborhood and everybody doesn't use the sidewalk.

Councilor Carpenter said sorry I don't mean to interrupt, but where?

Mary Ellen Cleveland said Prospect Avenue, I'm sorry. Everyone doesn't use the sidewalk; we get a lot of people using the road. There's a ton of children at play signs from one end to the other and I'm just wondering if there is anyway, if the trucks can't take an alternative route, I wonder if there could be some signs put up or something to warn people of the hazard that we've got there. I washed my windows three times.

Mayor Kasprzak said we will talk to Kevin Farrington and Mike Brodi about this. But what is not going to make you happy is we're going to be doing some construction work on the upper part of Broad and Cornelia very shortly you'll be mad a little bit longer by the truck drivers.

Mary Ellen Cleveland said I wouldn't say I'm mad.

Mayor Kasprzak said inconvenienced is the word. But to follow up on it we will do that.

Mary Ellen Cleveland said my main concern to be here tonight is safety. I just don't want to picture a lifeless human being having anything happen to them. And the other thing is I don't know how heavy these trucks are and the loads they are carrying and many of them haven't been covered, there speeding. Just for safety sake.

George Wurster 98 Pine Street said first I want to thank you for your service to the city we do appreciate it, I do. Sometimes it's easy, sometimes it's hard. I'm right in the middle of all that. I don't know if anyone's driven down there yet. Have you all seen it, I would suggest that you do. I know construction sometimes is messy and that's what's going to happen. It appears that this is a done deal. I don't think we are going to stop it; we haven't been able to stop it. Maybe I should've gotten on board earlier. When you said a bike path, I envisioned a Cumberland Avenue bike path. Come through and fix the understructure because it needs it just some sewer problems, pave it, put a curb, take your white paint, then put a couple decals pave it: Bike Path. I never envisioned what's gone down over there. I been there 24 years now and people always laughed at people on the flats, you know flatters, and that's fine and dandy. But when people come down there and look around at how beautiful it is they say, wow. I say, yeah don't tell anybody because here we are and we're not bothering nobody and nobody should bother us. Maybe that's an archaic thought process, I don't know. Numerous times I've cleaned off the banks of the river trying to clean up the garbage. Some people say it's us putting the lawn clippings, but, a lot of the garbage I've pulled off that bank aren't from the people on that street. Bags of garbage, car seats, batteries, tires, people just go down there and back their trucks up. I almost caught one guy but they're so quick unload garbage and take off. When I call the city say can you help me out and get some of this out of here its almost like well we cant do that and I'm like well why can't you do that. Eventually they'll concede and they'll come down and pick up my bags of garbage. I can't get it all it's just impossible. You look over the banks you've gone maybe 10 ft 12 ft, but, the amount of garbage that's still down there debris is just incredible. Again, it's been accumulating for years. I understand that the eminent domain issue, and I could be wrong, is still in litigation. The contractors were told it was in litigation they said it was just argued the Monday before and the court said there should be a decision in a couple of weeks. They

were willing to wait a couple of weeks before they took that big old swamp logger and came in with that 50 inch blade and just wiped out incredible foliage or just a bunch of stuff. A call was made cause that's when to stop, police were there, it just wasn't pretty. Our peace and quiet is just gone. They said well we got word and we are going to go ahead anyway we were told we can't stop we have to go forward. I know it's been delay, delay, delay the litigations been on and on but when you have maybe just a week or more to wait it didn't seem like a lot. And to just go ahead and just give the order to cut we don't care what those people say. It goes from the business to almost not pretty almost spiteful. Here we are in your face and you can't stop us and along they came and even the people working down there the contractors they were just like and you can't get mad at those folks they're hard working and I don't think there's been any complaints about anyone giving them a hard time. Parking, I don't know, I've been told that I'll have parking across the street. We won't have parking; I guess I would ask because I have no place to park. I have a driveway that is for a tenant they use it to full capacity. I will have no place to park on Pine Street. Unless there's going to be parking on the other side I'm not quite sure I can't visualize what's going on I wish there was a schematic of some sort. I more of a visual guy than a blue print guy one of those artist renderings, that'd be sweet. I don't know if it's too late the tar hasn't gone down if you could consider putting more parking down there somehow, somewhere. Cantilever it out and whatever you're going to do. Thank you for your time.

Sue Ford said I would like to thank Luck Brothers who got the contract. Mr. Luck was sweet enough when he came down to make the decision to wait. He said, Sue, I'll wait until things are calmed down and I thanked him for that. He was then told by the city to go ahead and destroy everything. Even though it was my grandkids playground, stuff I had across the street. No we're not going to wait we want it gone now. Anyway, he apologized to me and then he took 12 of his men at who knows how much an hour. And they spent 2 hours moving everything for me. And I really thank those men for doing that and he also said they were behind me 100% so I really appreciate it.

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves the City Engineer to advertise for bids for Contract # 2011-21 "Asbestos Removal for Plattsburgh Public Library."

By Councilor Carpenter; Seconded by Councilor Tiffer

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves the Manager MLD to advertise for sealed bid for PMLD Bid # 2011-8-1 "Structure T882 Replacement." Bid opening date August 30, 2011 at 11:00 am.

By Councilor Jackson; Seconded by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves that Contract #2011-10 “2012 Single Axle Truck w/Snow Plow and Multi-Purpose Dump Spreader Body” be awarded to M. A. Jerry & Company for a total bid price of \$157,164.00.

By Councilor Rabideau; Seconded by Councilor Tiffer

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. Motion to waive rule 4 for initial consideration “Request is made from the City Chamberlain to transfer \$30,000 from the 2011 General Fund Contingency budget to the Police Department budget for Contract Services in order to pay for the Eagle’s Nest veterinary services bill for the care of 49 felines seized on Tremblay Avenue. The net amount of this transfer leaves the total 2011 Budget unchanged.

By Councilor Jackson; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to transfer \$30,000 from the 2011 General Fund Contingency budget to the Police Department budget for Contract Services in order to pay for the Eagle’s Nest veterinary services bill for the care of 49 felines seized on Tremblay Avenue. The net amount of this transfer leaves the total 2011 Budget unchanged.

By Councilor Jackson; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

Councilor Calnon said I will take the opportunity to qualify my vote. I just wanted to once again say that as we looked at the detailed budget from Eagle’s Nest the amounts that they were charging were at a greatly reduced rate from the normal rates. Once again we not only owe them money we owe them a debt of gratitude so, Yes.

Mayor Kasprzak said they are a good partner for us, they really are.

ACTION TAKEN: Adopted

Follow up Action: None

D. THE MAYOR HANDS DOWN THE PERMANENT APPOINTMENT OF ASSISTANT FIRE CHIEF TO RANDAL J. STONE EFFECTIVE AUGUST 12, 2011. THE POSITION IS ESTABLISHED AT RANGE 9 STEP 11 OF THE MANAGERIAL SALARY SCALE AND PROBATION IS NOT REQUIRED FOR THIS APPOINTMENT.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

Mayor Kasprzak said Assistant Chief do you want to stand up. We appreciate you taking this responsibility. I'm very pleased that you're going to be there I know you will do a good job. You know my office is open and we won't always agree but we'll disagree respectfully.

Assistant Fire Chief Randal Stone said thanks for the opportunity.

Mayor Kasprzak said some of the council doesn't recall this, but, the Assistant Chief was in that position when I was elected and the position was abolished. He had the unfortunate situation of coming to our first budget session when the former former fire chief was looking for an additional several hundred thousand dollars for over time and that wasn't received very well by the new Mayor. Of course, Randy was the one who was thrust into doing the budget instead of the former former chief and that was his first real adventure with me. We appreciate the fact that you're going to do this and I know you will do a good job.

Assistant Fire Chief Randal Stone said thank you very much.

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST: None

9. ORDINANCES:

A. BE IT ORDAINED by the Common Council of the City of Plattsburgh, as follows:

1. Section 257-11 of the City Code regarding Water and Sewer permits; fees.

The Water and Sewer tapping permits shall be as follows:

Type of Tap	Fee
¾ inch	\$ 400

1 inch	\$ 600
Larger than 1 inch	Actual Estimate
Sanitary Tap	\$ 100
Storm Tap	\$ 100

2. Section 257-12B of the City Code is amended to adopt the following fee schedule for water meters:

Water meter size	Fee to furnish, install & maintain*			
5/8"	1 st	\$320	2 nd	\$370
3/4"	1 st	\$350	2 nd	\$400
1"	1 st	\$440	2 nd	\$490
1 1/2"	1 st	\$640	2 nd	\$690
2"	1 st	\$815	2 nd	\$865

*The cost of furnishing an Encoded Receiver Transmitter (ERT) or other remote reading device for each meter is included in the fee, but not the cost of installation which is at the owner's expense.

RESOLVED: That this ordinance shall take effect immediately upon approval by the Mayor and publication of the ordinance, or a summary thereof, one time in the official newspaper of the City of Plattsburgh.

By Councilor Rabideau; Second by Councilor Carpenter
Discussion:

Councilor Jackson said Mike why is the second one more expensive then the first one.

Superintendent of Public Works Mike Brodi said that is when you do multiple meters.

Councilor Rabideau said as we discussed this is for new installation. If there is a replacement update of an existing meter that is required there is no charge

Superintendent of Public Works Mike Brodi said when we're converting from the old style meters to the new electronic meters no charge.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. BE IT ORDAINED by the Common Council of the City of Plattsburgh, as follows:

1. Findings: The Common Council finds:

- i. City Code §270.21 D prohibits driveways that connect two City streets except by ordinance adopted by the Common Council.
- ii. There is an application pending for site plan approval and a building permit to construct a commercial business on two lots at the southeast corner of Weed Street and Boynton Avenue.
- iii. The application site plan entitled “Dame Site Plan 2011” dated 6/17/2011 shows a driveway that connects Weed Street and Boynton Avenue.
- iv. The Building Inspector and the City Engineer have reported to the Common Council that the proposed site plan complies with other regulations and the proposed driveway will not adversely impact traffic movement on Weed Street and Boynton Avenues, therefore, they recommend.
- v. The primary purpose of City Code §270.21 D is to prohibit private drives that connect parallel streets and permit motorists to take a “shortcut” to their destination. In this case, the driveway does not connect parallel streets and is unlikely to be used by anyone other than persons patronizing the business to be constructed on the lot.

2. Authorization: Based upon the foregoing findings, the Common Council does hereby approve the construction of a private driveway that connects Weed Street and Boynton Avenue as shown on “Dame Site Plan 2011” dated 6/17/2011.

RESOLVED: That this ordinance shall take effect immediately upon approval by the Mayor and publication of the ordinance, or a summary thereof, one time in the official newspaper of the City of Plattsburgh.

By Councilor Tiffer; Second by Councilor Calnon
Discussion:

Councilor Calnon said I just wanted to be sure in my mind that the resolution is clear it says that there is an application pending so while this authorizes the construction of it ultimately after all the administrative processes are completed including any building or zoning issues there are. We’re giving them permission to do it provided they meet all the other requirements in the City code.

Mayor Kasprzak said yes you are correct.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

10. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request is made from the City Chamberlain to transfer \$30,000 from the 2011 General Fund Contingency budget to the Police Department budget for Contract Services in order to pay for the Eagle's Nest veterinary services bill for the care of 49 felines seized on Tremblay Avenue. The net amount of this transfer leaves the total 2011 Budget unchanged. **(Move to agenda under "Other Items" Letter C)**
2. Request from Bill Treacy Manager MLD that Bid No. 2011-7-1 "115 kV Relay Testing" be awarded to HMT, Inc in the total amount of \$182,900.
3. Request from Bill Treacy Manager MLD that Bid No. 2011-7-2 "115 kV Circuit Switcher Installation" be awarded to Northline Utilities in the total amount of \$88,219.79.
4. Request from the City Chamberlain to revise the 2009 capital project H8130.56 through increasing by \$500,000 the funding from the Sewer Capital Reserve to provide for the construction and construction services contracts for the project.
5. Request from Jonathan Ruff Environmental Manager that CDM Amendment #2 "MacDonough Sewer Improvements" agreement be authorized and executed at an amount not to exceed \$125,550. Funding is from Capital Project H8130.56.

Councilor Calnon said to Richard, I'm assuming that this amendment doesn't alter the size of the Capital project at this point.

City Chamberlain Richard Marks said number 4 covers number 5 we are increasing that Capital project by half to cover those costs.

6. Request from Jonathan Ruff Environmental Manager that Contract # 2011-18 "MacDonough Sewer Improvements" be awarded to Fiacco and Riley Construction Inc for a total amount of \$578,930 which will be funded by Capital Project H8130.56.
7. Request from Police Chief Desmond Racicot for a Police Officer to attend the "NYS Forensic Interviewing Best Practices Training" in Utica, NY from September 20 - 23, 2011 the cost will not exceed \$799.50 and will be paid out of the Asset Forfeiture fund (travel expense).
8. **THE MAYOR HANDS DOWN THE APPOINTMENT OF SALLY MCSWEENEY TO THE LIBRARY BOARD FOR THE TERM OF AUGUST 19, 2011 TO JUNE 30, 2012.**

9. THE MAYOR HANDS DOWN THE PERMANENT APPOINTMENT OF ASSISTANT FIRE CHIEF TO RANDAL J. STONE EFFECTIVE AUGUST 12, 2011. THE POSITION IS ESTABLISHED AT RANGE 9 STEP 11 OF THE MANAGERIAL SALARY SCALE AND PROBATION IS NOT REQUIRED FOR THIS APPOINTMENT. **(Move to agenda under “Other Items” Letter D)**
10. Request from Police Chief Desmond Racicot for one Police Officer to attend the “National Tactical Officers Association Less Lethal/FSDD/Chemical Agent Instructor Course” in Conshohocken, PA from October 30 – November 4, 2011 at an estimated cost that will not exceed \$1,926 and will be paid out of the Asset Forfeiture fund (travel expense).
11. Request from Sole Assessor Derek Rosenbaum to attend the “Fundamentals of Mass Appraisal” in Latham, NY from September 7 – 9, 2011 at a cost not to exceed \$275.

11. NEW BUSINESS: None

12. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer
 Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
 (All voted in the affirmative)
MEETING ADJOURNED: 6:09 pm